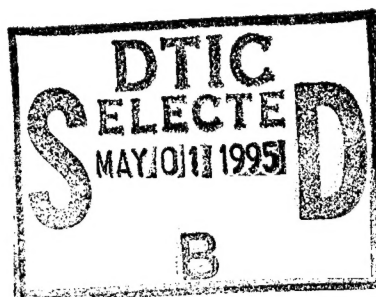


PERSEREC 

PERS-TR-94-002
September 1994

STANDARDIZING PROCEDURES FOR NOTIFYING
INDIVIDUALS OF AN ADVERSE PERSONNEL SECURITY
DETERMINATION IN THE DEPARTMENT OF DEFENSE



Kent S. Crawford
James A. Riedel

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Prepared by

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September 1994

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Preface

In October 1993, the Defense Personnel Security Research Center's (PERSEREC's) Advisory Board directed PERSEREC to study whether the Department of Defense should develop guidance for assisting personnel through the process for appealing an adverse personnel security determination. In response to this tasking, PERSEREC conducted the study described in this report. Recommendations include improving procedures for notifying individuals who are the subject of an adverse personnel security determination and providing specific guidance to help individuals through the appeal process. Sample notifications that could be used in implementing these recommendations are provided in the appendixes.

The proposed changes in this report would be well worth the small cost of their implementation. While the current system is working, the suggested modifications to notification procedures would improve the appeal process. Fairness would be enhanced by higher quality notifications that make clear to individuals how and why a preliminary adverse determination was made. Also, individuals would receive guidance describing appeal procedures and how to prepare a response. These improvements could reduce the potential for individuals to feel victimized by the appeal process. Inadequate notification procedures may leave appellants, successful or not, with feelings of resentment and anger. As PERSEREC has reported elsewhere, revenge was found to be the third most important motivator in recent espionage cases. The Department of Defense should make every effort to ensure the procedural fairness of the notification and appeal processes. A well-designed appeal process is not only good for individual rights, it is good for security.

We would like to thank the organizations and individuals who provided valuable assistance in gathering information for this report. Personnel at each of the participating organizations gave generously of their time to answer our questions. Additional recommendations for improving appeal procedures can be found in the September 1993 PERSEREC report, *Due Process for Adverse Personnel Security Determinations in the Department of Defense*.

Roger P. Denk
Director

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Executive Summary

Recently questions have been raised regarding the fairness and efficiency of Department of Defense procedures for notifying individuals who are the subject of an adverse personnel security determination. In response to these concerns, the Personnel Security Research Advisory Board directed the Defense Personnel Security Research Center (PERSEREC) to study whether the Defense Department should develop improved guidance for assisting personnel who appeal an adverse determination.

The purpose of this report is to present findings and recommendations from the study conducted in response to the Board's direction. PERSEREC obtained a sample of letters used to notify individuals of an adverse personnel security determination. Letters were obtained from Defense Department adjudicative and appellate authorities. We then reviewed and evaluated this sample of Letters of Intent, Letters of Denial or Revocation, and final letters from appeal authorities.

We found that components are meeting policy requirements governing appeals of adverse personnel security determinations. Individuals who are the subject of an adverse determination are notified and are provided with a brief outline of the derogatory information of security concern developed during a personal history investigation. Specific deadlines for responding are provided and the consequences of not meeting deadlines are spelled out. Applicable personnel security regulations, directives and instructions are referenced. However, components do not provide clear guidance to individuals on how to respond adequately to an adverse determination. Also, with the exception of the Navy, components do not formally designate a point of contact to assist individuals in responding to an adverse determination.

We recommend that components provide improved guidance to individuals for responding to an adverse personnel security determination. This guidance should include standardized time deadlines for responding as well as copies of pertinent personnel security guidelines used in making adjudicative determinations. We developed sample guidance for use as an enclosure to a Letter of Intent. This sample guidance is presented in an appendix to this report. In addition, we recommend that field organizations designate a local point of contact to assist individuals in filing an appeal and to help speed up the process. Finally, we recommend implementation of a standardized Letter of Intent and Letter of Denial that present security concerns along with supporting adverse information in a more structured manner than that currently provided by the components. Sample letters are presented in the appendixes.

The importance and impact of notifications on the process for handling adverse personnel security determinations are discussed as well as how the above recommendations, if implemented, could result in fairer and more efficient notification and appeal processes.

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Introduction

Background

Recently questions have been raised regarding the fairness and efficiency of Department of Defense (DoD) procedures for notifying individuals who are the subject of an adverse personnel security determination. It has been suggested that improvements are needed to remedy a number of deficits in the current procedures. This report presents the findings of a study of these procedures and offers recommendations for improvement.

In September 1993 the Defense Personnel Security Research Center (PERSEREC) published the findings from its study of DoD procedures for the denial or revocation of eligibility for access to classified information.¹ PERSEREC also recommended that DoD do a better job of informing military and civilian personnel of the rationale for an adverse personnel security determination. It was reasoned that the perceived and actual fairness of the appeal process depends, in part, on the extent to which individuals understand why an adverse determination is being made. Individuals are seriously handicapped in responding to or appealing a decision if they do not understand the basis for the decision. Greater standardization of governmental notifications regarding adverse determinations also was recommended to ensure that individuals across all DoD components are treated equally.

In October 1993 PERSEREC's Advisory Board directed PERSEREC to study whether DoD should develop guidance for assisting personnel through the process for appealing an adverse personnel security determination. The Board was concerned that DoD personnel who receive an adverse determination lack clear guidance on how to prepare an appeal and, therefore, many individuals may submit incomplete or poor quality appeals. These appeals often must be sent back to the individual for corrections or additional information. Passing these cases back and forth between the government and the appellant is inefficient and increases the time required for a final disposition. Additionally, the fairness of the process is open to question if appellants are not given clear guidance regarding what decision makers consider in making a final determination.²

¹See PERSEREC Technical Report 93-006, *Due Process for Adverse Personnel Security Determinations in the Department of Defense*.

² In 1993 the Department of Defense Security Institute (DoDSI) developed a set of sample letters to help teach security specialists throughout DoD how to notify individuals that they have been the subject of an adverse personnel security determination. This set of letters, however, did not include guidance to individuals regarding how to respond to an adverse decision or the specific personnel security guidelines used in making the decision.

The Board reasoned that these deficits could be alleviated if individuals were given clearer guidance regarding the appeal process. The Board also suggested that individuals be provided the guidelines used by decision makers in making a personnel security determination, how these guidelines were applied in the individual's case, and the specific types of information that an individual might provide to achieve a fair settlement of the case.

More recently, the Secretary of Defense and Director of Central Intelligence (DCI) Joint Security Commission also raised questions concerning the fairness of the procedures for handling appeals of adverse personnel security determinations.³ The Commission recommended that the procedural protections now available to DoD civilians and military be expanded. While not directly addressing notification procedures, the Commission's recommendations underscored the importance of providing individuals with the security concerns and reasoning for an adverse determination early in the decision-making process.

Purpose

This report presents the findings and recommendations from the PERSEREC study conducted in response to the Board's direction. The purposes of this study were to review and suggest improvements to the procedures and notifications used for informing DoD personnel who are the subject of an adverse personnel security determination.

Current Policy and Procedures

There are two basic categories of access eligibility determinations within DoD. The first category is generally referred to as a security clearance and includes determinations at the confidential, secret, and top secret classification levels. The second includes the determinations for eligibility for access to Sensitive Compartmented Information (SCI).

For security clearances, the DoD *Personnel Security Program Regulation* (5200.2-R) (January 1987) governs the handling of personnel security determinations. Requirements governing SCI access eligibility are spelled out in the DCI Directive (DCID) 1/14, *Personnel Security Standards and Procedures Governing Eligibility for Access to Sensitive Compartmented Information*, April 1992. Like the DoD 5200.2-R, DCID 1/14 (Annex B Appeals) has specific requirements for handling appeals of adverse personnel

³See the 1994 report of the Joint Security Commission, *Redefining Security: A Report to the Secretary of Defense and the Director of Central Intelligence*.

security determinations. Both require the following for the denial or revocation of eligibility for access to classified information:

- a. A written statement of reasons why the adverse administrative action is being taken;⁴
- b. An opportunity to reply in writing;
- c. A written response stating the reasons for the final determination; and
- d. An opportunity to appeal to a higher level of authority.⁵

Appeal procedures for both security clearance and SCI access determinations provide for a two-level review of appealed adverse determinations. Historically, however, the timing of these two levels of review have differed. For SCI access, both levels of review have occurred after the denial or revocation of access eligibility. The first notification of an adverse determination received by an individual has been a Letter of Denial or Revocation (LOD). Individuals may request an opportunity to appeal this decision. If the request is granted and the initial decision upheld, the individual may appeal to a higher level of authority.

For security clearances, the first level of review has occurred before, and the second level after, the actual denial or revocation. When a preliminary adverse determination is made, a Letter of Intent (LOI) to deny eligibility for a security clearance is sent to individuals before actually denying or revoking access eligibility. The individual has an opportunity to respond to this first letter before the final determination is made.⁶ If the final determination is adverse, an individual's eligibility is denied or revoked. The individual may appeal this final decision to higher authority.

⁴Individuals appealing an adverse SCI access eligibility determination may request a statement of reasons for the denial or revocation. This statement will be provided whenever the Determination Authority of any entity deems such action to be clearly consistent with the interests of the national security. As a matter of practice these requests are routinely approved. In fact, in most instances, a statement of reasons is sent as a part of the Letter of Denial or Revocation.

⁵ For appeals of SCI access eligibility the appeal authority is a Senior Official of the Intelligence Community or this official's designee. For appeals of adverse security clearance determinations the appellate authority is designated by the component.

⁶ The term "final" is somewhat of a misnomer because this decision can be appealed to a higher level of authority. In this report, "final" determination refers to the last decision made by the adjudicative facility. When cases are appealed the last determination is actually made by the adjudicative appeal authority.

Some components have unified the procedures for handling these two types of eligibility determinations. The Army has processed security clearance and SCI access eligibility determinations in the same way since the late 1970s. The Navy recently has begun to process appeals of adverse SCI access determinations in almost the same way that they have historically processed appeals of adverse security clearance determinations.⁷ The Air Force and Defense Intelligence Agency, however, have maintained the practice of sending a LOD rather than an LOI as the first notification of an adverse determination.

For ease of presentation, the terminology associated with procedures for handling appeals of adverse security clearance determinations will be used in the remainder of this report. This terminology, which reflects the procedure of issuing LOIs, was selected for two reasons. First, the majority of military and civilian appeals of adverse personnel security determinations in DoD are handled with this procedure. Second, this procedure is the one that would most likely be adopted if the Joint Security Commission recommendation to consolidate adjudicative authority in DoD is implemented.⁸ In any event, the recommendations in this report are applicable to both types of procedures in use since these procedures possess essentially the same elements.

Importance of Notifications

Notifications play an important role in the process for handling adverse personnel security determinations. Notifications are crucial to the fairness of this process because they determine the extent to which individuals are provided a clear and complete record of the facts and criteria being used by the decision maker. Notifications also are the vehicle for informing individuals of their appeal rights and responsibilities. Notifications are important for four additional reasons.

First, notifications spell out the time deadlines for the appeal process. In order to be fair, these procedures must provide individuals with enough time to correct the record and rebut security concerns. The cost of an appeal increases, however, as the amount of time an individual is given to respond increases. Individuals who are ultimately found ineligible for access to classified information, or who do not respond

⁷Adverse SCI access eligibility determinations can be appealed to a Senior Official of the Intelligence Community if the Personnel Security Appeals Board (PSAB) upholds the original adverse determination. PSAB determinations for security clearances cannot be appealed to higher authority.

⁸With consolidation there would be increased pressure to streamline and unify procedures for personnel security determinations. It is more likely that the procedures for handling appeals of SCI access eligibility for the Air Force and Defense Intelligence Agency will become more like those used to handle all appeals by Navy, Army, and Washington Headquarters Services than the reverse.

to a LOI, cannot be replaced until the appeal process is completed. Often these individuals are not fully productive during the appeal process. Therefore, fairness (more time for appellant) has a cost (nonproductive labor hours). It is important that the government strike the appropriate balance between cost and fairness.

Second, poor quality or incomplete notifications could result in responses that must be sent back to individuals for corrections or additional information. Passing cases back and forth between the government and the appellant is inefficient and increases the time required for a final disposition.

Third, the tenor and quality of notifications may affect an individual's decision whether or not to respond to an adverse determination. For example, if the tenor of a LOI is discouraging, individuals may be less inclined to respond to a LOI. Also, if it is incomplete or does not clearly articulate security concerns, individuals without a valid case may be encouraged to appeal. Both these situations are potentially costly to the government. In the first instance, new personnel may have to be recruited and trained to perform the functions of individuals who give up rather than appeal the preliminary decision, an appeal they may have won. In the second instance, individuals who might not have appealed if they had clearly understood the facts and criteria considered by the decision maker cannot be replaced until the entire appeal process is completed.

Fourth, individuals could pose a greater security risk to DoD if they felt that they had been victimized by the appeal process. In 1993 PERSEREC reported that over 20% of the 7,525 individuals who received a preliminary adverse personnel security decision ultimately had that decision overturned.⁹ Many of these individuals remain with DoD and have access to classified information. They may harbor resentment and anger toward DoD if they feel that they were treated poorly. In 1990 PERSEREC reported that revenge was the third most important motivator for espionage.¹⁰ These findings suggest that notifications should reflect a measure of care for individuals who are affected by an adverse personnel security determination. Every effort should be made to use notifications as a means of assuring that the appeal process is procedurally just. For those who win their appeal, high quality notifications also will foster greater commitment to DoD's security goals.

⁹See PERSEREC Technical Report 93-006, *Due Process for Adverse Personnel Security Determinations in the Department of Defense*.

¹⁰See PERSEREC Technical Report 92-005, *Americans Who Spied Against Their Country Since World War II*.

Approach

Data Collection

We obtained a sample of notifications for handling adverse personnel security determinations from the organizations listed below. We received a sample of LOIs and LODs from adjudicative facilities as well as a sample of final letters issued by appeal authorities. Names and social security numbers were obscured to assure the privacy of individuals involved in the cases. These notifications were sampled from cases completed during 1992 and 1993.

Organizations Providing Sample Notifications

Office of the Chief of Naval Operations (OP-09N2)

Department of Navy Central Adjudication Facility (DON CAF)

Headquarters Air Force Intelligence Support Agency (INS)

Office of the Secretary of the Air Force (SAF-AA)

Department of the Army, Office of the Deputy Chief of Staff for Intelligence (DAMI-CIS)

Army Central Personnel Security Clearance Facility (CCF)

Washington Headquarters Services, Directorate for Personnel and Security (WHS-P&S)

While the focus of this study was on DoD military and civilian personnel, we also obtained a sample of notifications issued by the Defense Office of Hearing Appeals (DOHA) which handles appeals by employees of defense contractors. These notifications are of very high quality and we reasoned that they might provide some good ideas for improving the quality of the notifications employed by other organizations. For additional ideas, we also reviewed a set of notifications developed by the Department of Defense Security Institute for training purposes (see footnote 2).

Evaluation

We evaluated the notifications and procedures in terms of the extent to which:

- a. *Time deadlines* were clearly laid out and promoted efficiency.
- b. *Consequences* of an adverse determination were clearly articulated.
- c. *Adverse information* from investigative records and other documents was clearly presented.
- d. *Guidance for responding* to a LOI specifically described how to respond and what documents to provide.
- e. *Personnel security guidelines* were provided and explained.
- f. *Field involvement* was an integral part of the response and appeal processes.

Findings and Recommendations

Overview

The components are meeting the policies governing appeals of adverse personnel security determinations. Individuals who are the subject of an adverse determination are notified and are provided with a brief outline of the derogatory information of security concern developed during a personal history investigation. Specific deadlines for responding are provided and the consequences of not meeting deadlines are spelled out. Applicable personnel security regulations, directives and instructions are referenced. However, components do not provide clear guidance to individuals on how to respond adequately to an adverse determination. Also, with the exception of the Navy, components do not formally designate a point of contact to assist individuals in responding to an adverse determination.

PERSEREC recommends that components provide improved guidance to individuals for responding to an adverse personnel security determination. This guidance should include standardized time deadlines for responding as well as copies of pertinent personnel security guidelines used in making adjudicative determinations. In addition, field organizations should designate a local point of contact to assist individuals in filing an appeal. Finally, PERSEREC recommends implementation of a standardized Letter of Intent and Letter of Denial that presents security concerns and

supporting adverse information in a more structured manner than that currently provided. Specific recommendations, along with sample guidelines and notification letters, are presented below.

Time Deadlines

All components provide very specific information in LOIs and LODs concerning time deadlines and the consequences of not meeting those deadlines. These letters also indicate how to obtain time extensions. However, we found considerable variability across the components in the length of the time deadlines for responding to LOIs and appealing LODs. Applicants are given from 15 to 60 days to respond to a LOI and from 10 to 60 days to appeal a LOD.

PERSEREC recommends that individuals should be required to acknowledge receipt of the LOI and indicate, within 10 working days of its receipt, whether or not they intend to respond. Individuals should be given 30 days to respond to a LOI and 15 days to appeal an LOD. Local officials should be given the authority to grant individuals up to 30 additional days to respond to an LOI. Only the appropriate adjudicative authority would be able to grant additional time extensions for both LOIs and LODs.

Implementation of this recommendation would standardize the time deadlines for LOIs and LODs in DoD. Requiring that individuals indicate their intent to respond to the LOI within 10 working days of its receipt would permit adjudicative facilities to promptly deny or revoke access eligibility for individuals who receive an LOI but do not choose to respond. This would speed up the decision-making process on many individuals since approximately 50% of those who receive a LOI do not respond. Individuals who choose to respond would have sufficient time to obtain copies of the investigative records and supporting documents required to prepare an intelligent response to a LOI. Fifteen days provides sufficient time to respond to an LOD since individuals should already have obtained supporting documents and records in preparing their response to the LOI.

Consequences

All components inform individuals who are the subject of a preliminary adverse determination that they will not be eligible for access to classified information if the preliminary determination becomes final. Some components reported that some individuals do not respond to the LOI because they do not take the letter seriously. Many of these individuals do appeal the LOD when they finally realize the seriousness of a final adverse personnel determination. Perhaps if a local official had been more directly involved in the matter, these individuals would have realized earlier the

seriousness of the preliminary determination. Only the Navy designates an official point of contact (POC) in the field who is required to explain to an individual the adverse consequences of being ineligible for a security clearance.

PERSEREC recommends that LOIs more clearly stress the consequences of an adverse personnel security determination. A local POC should be designated to ensure that an individual understands the seriousness of a final adverse personnel security determination.

Individuals need to appreciate the negative impact that an adverse personnel security determination could have on their current job and possibly on their career. Individuals will not be motivated to provide their best response if they do not perceive that the loss of eligibility for access to classified information could have relatively permanent and serious consequences. The negative consequences of an adverse action should be stressed in the LOI to ensure that individuals do not ignore this notification. The time required to complete many final determinations is increased when individuals appeal a LOD after ignoring a LOI.¹¹ This increased time is potentially very costly to DoD because individuals cannot perform sensitive duties or tasks requiring access to classified information while waiting for the final determination. Additionally, operational effectiveness is undermined since these individuals cannot be replaced until the appeal process is completed.

Adverse Information

All components provide adverse information of security concern that is uncovered during the personal history investigation. There is considerable variability among the components, however, in how this information is organized and presented in the LOI. Some components present adverse information in a disjointed form that hinders the development of a coherent response.

PERSEREC recommends that adverse information be presented on a separate enclosure to the LOI. Security concern should be presented along with supporting adverse information. A similar structure should be used for LODs.

In order to respond intelligently to a preliminary adverse determination individuals must understand the specific security concerns. They also must understand the specific adverse information supporting these security concerns. Therefore, the

¹¹This is true regardless of the outcome of the decision. For cases in which the preliminary decision is overturned, it is simply faster to make this decision earlier in the process. For cases in which the preliminary decision is sustained, it is also faster since many individuals do not file an appeal once their response to a LOI has been given consideration.

security concerns and supporting adverse information should be linked together and organized logically. Clearly linking security concerns and supporting adverse information will provide individuals with a clear path for challenging security concerns. Individuals may refute specific adverse information or provide mitigating or extenuating information. DOHA uses a similar format by presenting allegations with supporting evidence in Statements of Reasons.

A sample LOI with the recommended improvements appears as Appendix A. This sample could be modified to meet special component requirements. The LOI includes a separate enclosure called *Security Concerns and Supporting Adverse Information*. This enclosure should be the same for all components since individuals throughout DoD should be treated as equally as possible with respect to appeal procedures. Appendix B presents a sample LOD. The format in which security concerns and supporting adverse information are linked together is used again; however, because the LOD is much shorter than the LOI, the remaining security concerns appear in the body of the letter rather than as an enclosure.

Guidance for Responding

DoD components do not provide adequate guidance for responding to an LOI. Some components provide limited guidance with examples of useful documentation. Other components provide no guidance.

PERSEREC recommends that components provide improved guidance for responding to a LOI. This guidance should be the same for all DoD components and should be included as an enclosure to LOIs.

Providing response guidance to individuals will improve the fairness and efficiency of appeal procedures. It will help individuals understand how and why a preliminary adverse determination was made. The guidance should describe appeal procedures and how to prepare a response. This guidance should be the same for all components to assure a measure of equality in due process procedures throughout DoD. Also, including the guidance as an enclosure to the LOI will ensure that all individuals receive the same information. If such guidance were provided in a handbook held by the local security manager, there is no guarantee that all individuals would have access to it. Some individuals might claim that the guidebook was not made available to them and that this adversely affected their ability to write a response to an LOI or appeal an LOD. This could raise questions regarding the fairness of the appeal procedures.

Enclosure (3) to the sample LOI shown in Appendix A provides guidance that could be included with LOIs. It is entitled *Instructions for Responding to a Letter of Intent*. Consistent with an earlier recommendation, it stresses the serious consequences that could result from an adverse personnel security determination. It outlines what to do before responding to a LOI and how to write a response. It suggests the types of documentation that may be particularly useful. The use of this guidance is dependent on the implementation the previous recommendation that security concerns and supporting adverse information be presented on a separate enclosure to the LOI. If components continue to present adverse information of security concern in varying ways, it would make no sense to implement this guidance. Different guidance would have to be developed for each component.

Personnel Security Guidelines

All components reference applicable personnel security regulations, directives, or instructions in their LOIs. Some components reference specific paragraphs for the relevant security guidelines while others simply reference the overall document. None of the components provides the specific security guidelines that apply in the given case nor do they explain how the security guidelines were used to make an adverse determination.

PERSEREC recommends that relevant personnel security guidelines be provided to individuals receiving a LOI. Guidelines that pertain to the specific security concerns in an individual's case should be included as an enclosure to LOIs.

Individuals cannot respond intelligently if they do not understand why the specific information concerning their conduct or background is of security concern. Individuals should be provided the personnel security guidelines that decision makers use to determine whether or not information is of security concern. This will help individuals understand why particular types of information are of security concern and, as importantly, the conditions that may mitigate or extenuate security concerns. Recently revised personnel security guidelines could be used for this purpose once they have been approved and issued. These guidelines clearly articulate why particular adverse information is of security concern, the conditions that signal security concerns, and conditions that might mitigate or extenuate these concerns.

Providing personnel security guidelines in the LOI could save time for security managers in the field who otherwise would have to locate and reproduce pertinent guidelines for individuals who request them. Also, providing these guidelines could potentially speed up the decision-making process or even reduce the number of responses or appeals because individuals could quickly assess if they have a valid appeal and whether or not they should respond to the LOI. Adjudicative facilities

could generate these guidelines with existing software applications, easing any administrative burden caused by this requirement.

The personnel security guidelines should be an enclosure to the LOI. Sample personnel security guidelines appear as enclosure (4), *Applicable Personnel Security Guidelines*, to the LOI in Appendix A. The specific security concern is listed first and then the relevant personnel security guideline is presented.¹² The guidelines describe conditions that are of security concern as well as extenuating and mitigating conditions. The personnel security guideline for each security concern listed in a LOI should be provided. For example, in the sample LOI shown in Appendix A, there are two security concerns and the appropriate personnel security guideline is presented for each in enclosure (4).

Field Involvement

The extent to which local officials are involved in the appeal process varies across DoD components. In all components, these managers are aware of adverse personnel security determinations and are usually an addressee on notifications to individuals from the adjudicative authority. Local officials are directly involved in suspending, denying, or revoking access to classified information and in removing individuals from sensitive positions. Also, most components require that a local official make a recommendation to the adjudicative authority concerning his or her assessment of the individual's trustworthiness and reliability. However, only one component requires the field to appoint a POC to assist individuals filing an appeal.

PERSEREC recommends that field activities designate a local POC to assist individuals filing an appeal.

PERSEREC recommends that components continue to stress the importance of having a local official assess an individual's on-job reliability and trustworthiness and make a recommendation to the appropriate adjudicative authority.

POCs in the field should be designated to assist individuals in filing an appeal. POCs could ensure that individuals understand the seriousness of a proposed action and could assist in obtaining investigative records and in providing relevant information. Local officials also are in a good position to provide recommendations to adjudicative decision makers. These officials have first-hand knowledge concerning the on-job reliability and trustworthiness of individuals.

¹² These guidelines are provided as examples. The revised guidelines have yet to be approved and issued.

Appendix C provides a sample letter that adjudicative facilities could use to require a local activity to designate a POC. The letter also outlines the responsibilities of the POC. The sample letter draws heavily on the procedures used by the Department of Navy Central Adjudication Facility (DON CAF). The Navy forwards a LOI as an enclosure to a letter sent to the local command/activity. The local command must designate an individual to act as the POC for the DON CAF. The command must also deliver the LOI and forward to DON CAF an acknowledgement certifying when the LOI was delivered and whether or not the individual intends to respond. Such an acknowledgement receipt also could be used to meet the recommended requirement of the 10-working-day initial response period discussed previously. The LOD can also be forwarded as an enclosure to a letter to the local organization (see Appendix D).

List of Appendixes

- A. Letter of Intent (LOI)
- B. Letter of Denial/Revocation (LOD)
- C. Local Organization Letter with LOI
- D. Local Organization Letter with LOD

Appendix A

Letter of Intent (LOI)

From: Director, [Component] Central Adjudication Facility

To: Mr. John Doe, SSN 000-00-0000

Via: Director, Service Graphics Facility, Washington, DC

Subj: INTENT TO [DENY/REVOKE] ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION

Ref: (a) Component Personnel Security Regulation

Encl: (1) Extracts from [personnel security investigation(s)]
(2) Security Concerns and Supporting Adverse Information
(3) Instructions for Responding to a Letter of Intent
(4) Applicable Personnel Security Guidelines

1. A preliminary decision has been made to [deny/revoke] your eligibility for access to classified information. Adverse information from an investigation of your personal history, see enclosure (1), has led to the security concerns listed in enclosure (2). If this preliminary decision becomes final, you will not be eligible for access to classified information or be able to perform any sensitive duties as defined by reference (a).

2. You may challenge this decision by responding, in writing, with any information or explanation which you think should be considered in the final decision. Enclosure (3) is provided to assist you if you choose to respond. Enclosure (4) provides an extract from reference (a) of the specific personnel security guidelines used in the preliminary decision to [deny/revoke] your eligibility for access to classified information. **The preliminary decision will become final if you fail to respond to this letter.** You may obtain legal counsel; however, you must do so at your own expense.

3. You must notify [Component] Central Adjudication Facility via the head of your organization within 10 working days whether or not you intend to respond. Should you choose to respond, your response must be submitted via the head of your organization within 30 days from the date you received this letter. Your organization may grant up to 30 additional days if you submit a written request to your security office. Additional time extensions may only be granted by the [Component] Central Adjudication Facility.

4. If you currently have access to classified information, this access [is/may be] suspended pending the final decision. Please direct questions regarding this letter to your security officer or the point of contact designated by your organization.

Security Concerns and Supporting Adverse Information

Subject of Investigation: [Mr. John Doe, 000-00-0000]

1. Available information tends to show criminal conduct on your part. That information is:

- a. You were arrested on 28 March 1980 for assault on a police officer. The bail/fine was listed as \$4000. There was no further information.
- b. You were arrested on 1 October 1984 for interfering with an arrest. The bail fine was listed as \$300. There was no further information.
- c. You were arrested on 5 January 1985 for failing to appear, issued from a bench warrant. The bail/fine was listed as \$400. There was no further information.

2. Available information tends to show financial irresponsibility or unexplained affluence on your part. That information is:

- a. You filed for Chapter 7 Bankruptcy on 10 August 1987. It was discharged on 14 November 1987.
- b. On 20 July 1992, you had a Second Court Judgment against you for \$450.
- c. As of 2 September 1992, the Credit Bureau, Seattle, Washington, listed 12 of your accounts referred for collection. The highest balance was \$2700 (\$800 of this balance was uncollectible due to a 7-year statute of limitations). A current balance of \$829.50 is 4 months past due.

Enclosure (2)

Instructions for Responding to a Letter of Intent

A preliminary decision has been made to deny or revoke your eligibility for access to classified information. If this decision becomes final, you will not be eligible to handle classified information or perform sensitive duties. This could prevent you from continuing in your present position or pursuing your current career. You have received a letter of intent explaining this situation. This preliminary decision will automatically become final if you fail to notify [Component] Central Adjudication Facility within 10 working days that you intend to respond to the letter of intent.

This preliminary decision was based on adverse information revealed by an investigation into your personal history. Specific security concerns about your conduct or background, along with supporting adverse information, are listed in enclosure (2) to the letter of intent.

You may challenge this preliminary decision. Before a final decision is made you may correct errors in the supporting adverse information and/or provide additional information that could refute or disprove the security concerns. Even if a security concern is true, there might have been special circumstances that could lead to a reversal of the preliminary decision.

The purpose of this document is to help you respond to the security concerns in enclosure (2) of the letter of intent. These instructions are intended to help you provide the most accurate and relevant information to the decision at hand. However, it is only a guide. You should provide whatever information you think ought to be considered in the final decision.

If the final decision is not in your favor, you will have an opportunity to appeal the decision to a higher authority. It is in your best interest, however, to provide the most complete and accurate information possible at this stage in the decision-making process. Therefore, if you decide to challenge the preliminary decision, you should respond to the letter of intent and try to get this decision reversed as soon as possible.

Before Responding

✓ **Follow the instructions in the letter of intent.** The letter of intent provides specific instructions for submitting a response. You may forfeit your right to appeal a final decision if you fail to follow these instructions or do not meet the time deadlines. You must notify the [Component] Central Adjudication Facility via the head of your

Enclosure (3)

organization within 10 working days whether or not you intend to respond. Should you choose to respond, your response must be submitted via the head of your organization within 30 days from the date you received the letter of intent.

✓ **Review investigative records.** The adverse information in your case came from a personnel security investigation. A copy of the relevant portions of this investigation has been provided to you as enclosure (1) to the letter of intent. You should carefully read the investigative findings to determine whether they are accurate and whether there are circumstances that were not included and which might have a favorable bearing in your case. You may obtain a complete copy of investigative records concerning your personal history if you think that the complete record would help you prepare your response. Your security officer or security representative can help you obtain copies of these records. If you do submit a request for your investigative records, make sure to ask for a time extension to the deadline for responding to the letter of intent since it may take up to 30 days to receive these records.

✓ **Obtain and organize supporting documents.** Gather any documentation that supports your case. Documentation should be organized according to the security concerns presented in enclosure (2). The most useful documents will be those that correct, explain, mitigate, or update the adverse information presented in enclosure (2). Examples of good documentation include copies of formal correspondence; court records with details or dispositions of arrests and status of probation; receipts, copies of cancelled checks or formal correspondence verifying the status of delinquent accounts; certificates of completion for rehabilitation programs; releases from judgement or attachment; transcripts of court testimony taken under oath; probation reports; copies of negotiated plea bargains; etc. Mere statements, such as "I paid those bills," "I didn't do it," or "It wasn't my fault," will not carry as much weight as formal documentation.

✓ **Seek assistance.** An individual at your organization has been designated as a point of contact for the [Component] Central Adjudication Facility on this matter. If this person cannot answer your questions in any particular area, he or she can request assistance from higher authority. Responding to an adverse personnel security determination is an administrative rather than a legal procedure. The system is designed so that individuals can represent themselves. Nonetheless, you may obtain legal counsel or other professional assistance in preparing your response. However, if you obtain assistance, it must be at your own expense. Remember -- it is up to you to decide whether to respond. You are responsible for the substance of your response and it must be signed by you.

Enclosure (3)

Writing a Response

✓ **Review the security concerns and supporting adverse information.** The impact of your response will depend on the extent to which you can specifically explain or refute the security concerns and adverse information presented in enclosure (2). The preliminary decision was based on security concerns and supporting adverse information. Information that is untrue should be specifically refuted. If you believe that the adverse information, though true, does not support the security concern or presents an incomplete picture, you should provide information that explains your case. This additional information could help you disprove or lessen the security concern.

The key point is that you must address each security concern and the adverse information cited to support it. Where information is not true, outline why you believe there is an error. If the adverse information is true but you feel that there are extenuating or mitigating circumstances, outline additional information that might cause a decision-maker to weigh or interpret the adverse information differently. You should be specific and, where possible, provide copies of hard records (e.g., court records, correspondence, cancelled checks).

Personnel security guidelines are used by decision-makers to determine whether certain adverse information is of security concern. The guidelines pertinent to security concerns in your case are listed in enclosure (4) to the letter of intent, *Applicable Personnel Security Guidelines*. If particular adverse information is true but you feel there are extenuating circumstances, you should closely examine the conditions that could mitigate security concerns. These conditions are listed in the guidelines. Given that an incident or situation occurred, the decision-maker will consider these mitigating conditions when making a final decision.

The personnel security guidelines listed in enclosure (4) are general rules used by decision-makers in determining whether an individual should be granted eligibility for access to classified information. The guidelines provide a framework for weighing all available information, both favorable information as well as adverse information that is of security concern. The guidelines help decision-makers make a common-sense determination concerning an individual's eligibility for access to classified information based upon all that is known about an individual's personal history.

✓ **Write a response based on your review.** You should address each security concern separately. You should admit or deny each security concern and admit or deny each item of supporting adverse information. Provide any information that

Enclosure (3)

documents errors of fact or explains extenuating or mitigating circumstances. Include, wherever possible, the types of documents described above under the section *Obtain and organize supporting documents*. Again, remember that you are free to provide whatever information that you think ought to be considered in the final decision.

Copies of supporting documents should be forwarded along with your written response. Also, you should provide overall summary reasons for why you think the preliminary decision in your case should be reversed. Finally, be sure to sign and date your response.

✓ **Forward your response.** Place your written response and supporting documents in a single envelope or package and forward it to [Component] Central Adjudication Facility via your the head of your organization. Be sure to meet the time deadlines. You will be notified in writing of the final decision. In most cases this decision is made within 60 days. If the decision is in your favor, your access eligibility will be restored. If not, you may appeal the decision to your component personnel security appeal board.

Enclosure (3)

Applicable Personnel Security Guidelines

The relevant personnel security guidelines are listed below for each area of security concern in your case.¹³ The security concerns and supporting adverse information are provided in enclosure (2).

Security Concern: Available information tends to show criminal conduct on your part.

A history or pattern of criminal activity creates doubt about a person's judgment, reliability and trustworthiness. Conditions that signal security concern and may be disqualifying include: (1) any criminal conduct, regardless of whether the person was formally charged; (2) a single serious crime or multiple lesser offenses.

Conditions that could mitigate security concerns include: (1) the criminal behavior was not recent; (2) the crime was an isolated incident; (3) the person was pressured or coerced into committing the act and those pressures are no longer present in that person's life; (4) the person did not intentionally commit the act and the factors leading to the unintentional violation are not likely to recur; (5) there is clear evidence of successful rehabilitation.

Security Concern: Available information tends to show financial irresponsibility or unexplained affluence on your part.

An individual who is financially overextended is at greater risk of having to choose between significantly reducing lifestyle or engaging in illegal acts to generate funds. Unexplained affluence is often linked to proceeds from financially profitable criminal acts. Conditions that signal security concern and may be disqualifying include: (1) a history of not meeting financial obligations resulting in bankruptcy; (2) deceptive or illegal financial practices such as embezzlement, employee theft, check fraud, income tax evasion, expense account fraud, filing deceptive loan statements, and other intentional financial breaches of trust; (3) being unable to satisfy debts incurred to creditors; (4) unexplained affluence; (5) financial problems that are linked to gambling, drug abuse, alcoholism, or other issues of security concern.

Enclosure (4)

¹³These guidelines are provided as examples. The revised guidelines have yet to be approved and issued.

Conditions that could mitigate security concerns include: (1) the behavior was not recent; (2) it was an isolated incident; (3) the conditions that resulted in the behavior were largely beyond the person's control (e.g., loss of employment, a business downturn, unexpected medical emergency, or a death, divorce or separation); (4) the person has received or is receiving counseling for the problem and there are clear indications that the problem is being resolved or is under control; (5) the affluence resulted from a legal source; and (6) the individual initiated a good-faith effort to repay overdue creditors.

Enclosure (4)

Appendix B

Letter of Denial/Revocation (LOD)

From: Director, [Component] Central Adjudication Facility

To: Mr. John Doe, SSN 000-00-0000

Via: Director, Service Graphic Facility, Washington, DC

Subj: FINAL [DENIAL/REVOCATION] OF SECURITY CLEARANCE AND
ELIGIBILITY FOR ASSIGNMENT TO A SENSITIVE POSITION

Ref: (a) Our ltr [Ser XXX] of [date]
(b) [Component Personnel Security Regulation]
(c) Your ltr of [date]

Encl: (1) Instructions for Appealing a Letter of [Denial/Revocation]

1. Reference (a) informed you of our intent to [deny/revoke] your eligibility for access to classified information and for assignment to a sensitive position. An enclosure of this reference listed security concerns and supporting adverse information supporting this preliminary decision. Your response, reference (c), has been carefully considered. Our final assessment of the security concerns presented in reference (a) is as follows:

a. **Criminal conduct** - The information you provided successfully mitigated the security concerns related to your arrest on 28 March 1980. However, you did not sufficiently address or provide any new information to explain or mitigate the other adverse information (items 2b and 2c). Your criminal conduct is still of security concern.

b. **Financial irresponsibility** - While you provided an explanation for the Second Court Judgment, you did not sufficiently address or provide any new information to explain the other adverse information (items 2a and 2c). Your financial irresponsibility is still of security concern.

2. Given the remaining security concerns, effective this date, we have [denied/revoked] your eligibility for access to classified information and for assignment to a sensitive position using the provisions of reference (b).

3. You may appeal this decision in writing within 15 days after you receive this letter. The appeal should be sent via the head of your organization to President, [Component] Personnel Security Appeals Board (PSAB), Washington, DC, 00000-0000. You may request, but are not required to have, a personal appearance before a senior official to present your case. Information concerning the personal appearance is presented in

enclosure (1).

4. If you appeal, we will automatically forward to the [Component] PSAB all of the information and documentation you sent us in reference (c). If you require an extension to the 15-day deadline, you must make your request in writing to the President, [Component] PSAB, via the head of your organization.
5. Questions regarding this letter should be directed to your security officer or the point of contact designated by your organization.

Instructions for Appealing a Letter of Denial or Revocation

A decision has been made to deny or revoke your eligibility for access to classified information. This means that you are not eligible to handle classified information or perform sensitive duties. This could prevent you from continuing in your present position or pursuing your current career. You have received a letter of denial or revocation explaining this situation. This decision was based on adverse information uncovered by an investigation into your personal history. Specific security concerns about your conduct or background are listed in the letter of denial.

This decision may be appealed, in writing, within 15 days to the [Component] Personnel Security Appeals Board (PSAB). The PSAB's function is to independently review adverse personnel security determinations made by the [Component] Central Adjudication Facility. If you do not choose to appeal the adverse decision to the [Component] PSAB, the decision by the [Component] Central Adjudication Facility will be become final and this will conclude the appeal process.

As part of the appeal process you may request a personal appearance before a senior official of the [Component/DoD]. This appearance is intended to provide you with an additional opportunity to present a full picture of your situation. You will have an opportunity to orally respond to the security concerns noted in the letter of denial or revocation. The official presiding at the personal appearance will document the proceeding and make a recommendation to the [Component] PSAB. The PSAB will consider both your written appeal and the results of the personal appearance in making its final decision. You may, however, choose to submit only a written appeal and forego the personal appearance. Having or not having a personal appearance will not bias the PSAB in making a fair final determination in your case.

Responding to the Letter of Denial or Revocation

Responding to a letter of denial or revocation is very similar, in principle, to responding to a letter of intent. You should provide whatever information you think ought to be considered in the final decision. You should try to specifically explain, refute, and /or mitigate the security concerns presented in the letter of denial or revocation. If you responded to the letter of intent and believe that you accomplished this to the best of your ability, then your appeal would involve simply forwarding your response to the letter of intent for a second review by the PSAB. On the other hand, you may want to revise it, if appropriate, based on feedback you received in the letter of denial or revocation.

Enclosure (1)

You may want to review enclosure (3) to the letter of intent, *Instructions for Responding to a Letter of Intent*, to make sure that your appeal follows the guidelines outlined in that document. If you didn't respond to the letter of intent but now want to forward an appeal to the letter of denial or revocation, it is particularly important that you review the instructions in enclosure (3). They should help you understand how to develop and write your appeal so that it can best address the security concerns in your case.

Place your written appeal and supporting documents in a single envelope or package and forward it to the [Component] PSAB via the head of your organization. Be sure to sign and date your appeal and meet the time deadline. You will be notified in writing of the final decision. In most cases this decision is made within 60 days after the PSAB receives your appeal or 60 days after the PSAB receives the recommendation from the personal appearance. If the decision is in your favor, your access eligibility and eligibility for sensitive duties will be restored.

Personal Appearance

If you desire a personal appearance you must specifically request it in your written appeal to the letter of denial or revocation. A personal appearance will be scheduled by the [local organization/DOHA]. It will take place in the general geographic vicinity of your workplace. At the appearance you will have an opportunity to present oral and documentary information on your own behalf. While the personal appearance is designed so that you can represent yourself, you can choose to obtain legal counsel or other professional assistance at your own expense to help you both in preparing for the appearance and during the appearance.

Before the Personal Appearance

In getting ready for the appearance, make sure that you are prepared to address all of the security concerns and supporting adverse information. Also, make sure that your supporting documents are organized and readily accessible for presentation to the senior official and for use in answering questions. You should remember that the results of the appearance are being documented and that this documentation will be provided to the PSAB.

The senior official at the appearance will already have read your written appeal. Therefore, your goal should be to clarify your appeal and add additional information where appropriate rather than merely to read your appeal. You will not have the opportunity to present or cross-examine witnesses. If you want the views of others

Enclosure (1)

presented, make sure that you get them in writing (e.g., letters of reference, letters from medical authorities, etc.).

During the Personal Appearance

During the appearance, you will have an opportunity to present an opening statement and summary of your case. Be as honest, clear and forthright as you can. You may be asked questions to clarify aspects of your written appeal and parts of your opening statement. Answer clearly, completely, and honestly. The senior official will review the case, listen to your comments and then make a recommendation to the PSAB. The PSAB is not bound by the recommendation of the senior official but will consider it as an important source of information.

The senior official is not there to present the government's security concerns but rather to listen to any explanations that you may have concerning your case. This individual did not make the adverse decision that was presented in the letter of denial or revocation. The official is there to give you an opportunity to present your case as fully as possible. You should remember that the official's recommendation will be a common-sense determination based on both favorable and adverse information. The way in which you present yourself at the appearance reflects on your trustworthiness and reliability, two important security concerns.

At the end of the appearance, you will be given an opportunity to make a closing statement. You should hit the highlights rather than rehash your whole case. You should try to show how the weight of all available information supports overturning the adverse decision in your case.

Enclosure (1)

Appendix C

Local Organization Letter with LOI¹⁴

From: Director, [Component] Central Adjudication Facility

To: Director, Service Graphic Facility, Washington, DC

Subj: RESPONSIBILITIES FOR HANDLING LETTER OF INTENT (LOI)

Ref: (a) [Component Personnel Security Regulation]

Encl: (1) LOI

(2) LOI Receipt and Statement of Intention

(3) Form for Requesting [Personnel Security Investigation]

1. When a preliminary decision is made to deny or revoke an individual's eligibility for access to classified information, the individual is notified through a letter of intent (LOI). The purpose of this letter is to provide instructions for actions required by your organization related to the individual named in the enclosed LOI. Since denial or revocation of access eligibility can have a severe impact on individuals and their careers, administrative procedures required by reference (a) must be closely followed to ensure that both security and fairness requirements are met.

2. Your organization is responsible for completing the following actions with regard to the individual named in the LOI:

a. Consider whether or not to suspend access to classified information and assign the individual to nonsensitive duties pending a final personnel security decision. Failure to do so could result in an increased level of security risk.

b. Designate a person from your organization as the point of contact in this matter. This person will serve as a liaison between the [Component] Central Adjudication Facility and the individual.

3. The point of contact from your organization should:

a. Promptly deliver enclosure (1) to the named individual.

¹⁴All enclosures to this letter are not included in Appendix C. A sample of enclosure (1) to this letter can be found in Appendix A. Samples of enclosure (3) can be obtained from the appropriate investigative agency.

b. Complete and forward enclosure (2) to the [Component] Central Adjudication Facility within 10 working days. Ensure that Parts I, II, and III all are completed. This form notifies the [Component] Central Adjudication Facility whether the individual intends to respond to the LOI and whether your organization has granted a time extension.

c. Advise the individual that he or she should not attempt to deal directly with the [Component] Central Adjudication Facility except in writing, and that, if necessary, he or she should seek the assistance of your organization's designated point of contact. Also, ensure that the individual understands that he or she is entitled to obtain legal counsel or other professional assistance but that this must be done at the individual's own expense.

d. Ensure that the individual understands the consequences of being found ineligible for access to classified information and the serious effect such a determination could have on his or her career.

e. Take particular care to ensure that the individual fully understands that the proposed denial or revocation action will become final if your organization notifies the [Component] Central Adjudication Facility via enclosure (2) that the individual does not intend to respond to the LOI.

f. Explain procedures for requesting a time extension for responding to the LOI. If the individual requires additional time to obtain copies of investigative records and/or to prepare his or her response, your organization may grant an extension of up to 30 additional days. The [Component] Central Adjudication Facility must be notified of such an extension using enclosure (2). See reference (a) for more detail.

g. Assist the individual in obtaining applicable references and copies of pertinent investigative files. The accompanying LOI was prepared using extracts from files of the [Defense Investigative Service (DIS) and/or other investigative agency]. If the individual desires a complete copy of that material, please provide him or her with enclosure (3) which is the form for requesting [DIS and/or other investigative agency] records under 5 U.S.C. 552a.

4. Ensure that the individual's response to the LOI is promptly endorsed and immediately forwarded to the [Component] Central Adjudicative Facility. This endorsement should include observations and comments regarding the person's reliability and trustworthiness as well as a recommendation regarding the decision at hand. An endorsement that does not include comments and a recommendation will be taken to mean the organization head concurs with the adverse personnel security determination.

5. [Additional component-specific requirements].

6. If you have any questions, the point of contact at the [Component] Central Adjudicative Facility is Mr. David Johnson, DSN 000-0000 or commercial (000) 000-0000.

LOI Receipt and Statement of Intention

From: Director, Service Graphics Facility

To: Director, [Component] Central Adjudication Facility

Subj: ACKNOWLEDGEMENT OF RECEIPT FOR LETTER OF INTENT

1. I acknowledge receipt and delivery of your letter of intent to Mr. John Doe, SSN 000-00-0000. Parts I, II, and III of this form have been completed as requested.

PART I

I have received a Letter of Intent on this date from the [Component] Central Adjudication Facility.

(Signature)

(Date)

PART II

I intend to

- a. ☐ submit no reply to your letter.
- b. ☐ respond to your letter but have requested an extension for the following reason.

-
-
- c. ☐ respond to your letter via my organization head within 30 days of the date I acknowledged receipt of the letter of intent.

(Signature)

(Date)

PART III

This organization:

- a. ☐ has not granted an extension.
- b. ☐ has granted an extension until _____

Point of Contact: _____

(Print name)

(Position)

(DSN Phone Number)

(Commercial Phone Number)

Enclosure (2)

Appendix D¹⁵

Local Organization Letter with LOD

From: Director, [Component] Central Adjudication Facility

To: Director, Service Graphic Facility, Washington, DC

Subj: RESPONSIBILITIES FOR HANDLING LETTER OF [DENIAL/REVOCATION]

Encl: (1) Letter of Denial/Revocation (LOD)

(2) LOD Receipt

(3) Organization Responsibilities for Personal Appearance

1. A final decision has been made by the [Component] Central Adjudication Facility to [deny/revoke] the security clearance of the individual named in the enclosed LOD.

The purpose of this letter is to provide instructions for actions required by your organization.

2. If not already accomplished, your organization is responsible for completing the following actions with regard to the individual named in the LOD:

a. Terminate access to classified information and/or assignment to sensitive duties.

b. Designate a person from your organization as the point of contact in this matter. This person will serve as a liaison between the [Component] Central Adjudication Facility and the individual.

3. Your point of contact on this matter should:

a. Promptly deliver enclosure (1) to the named individual. Have the individual sign and date enclosure (2) upon receipt of the LOD. This signature verifies receipt of the LOD.

b. Ensure that the individual understands that he or she may submit a written appeal to the [Component] Personnel Security Appeals Board (PSAB) within 15 days of receiving the LOD. Any extensions to this deadline must be requested in writing to the President, [Component] PSAB, via the head of your organization.

¹⁵A sample of Enclosure (1) can be found in Appendix B.

c. Ensure that the individual understands that, as part of the appeal, he or she is may request, but is not required to have, a personal appearance before a senior official to present the appeal. The responsibilities of the local organization with regard to the personal appearance are outlined in enclosure (3).

3. The [Component] Central Adjudication Facility no longer has jurisdiction over this matter. If your organization or the named individual has any questions, the security manager or the designated point of contact should communicate with the President, [Component] PSAB, at DSN 000-0000 or commercial 000-000-0000.

LOD Receipt

I have received a Letter of [Denial/Revocation] on this date from the [Component]
Central Adjudication Facility.

(Signature)

(Date)

Enclosure (2)